

United States Bankruptcy Court
For the Western District of Texas
Austin Division

IN RE: §
Christy Lynn Riley, § Case No. 11-11533-Mott
Debtor § Chapter 7

**Motion to Sell the Estate's Limited Partnership Interest in
Cavan Opportunity Fund to Guadalupe R. Garcia Free and Clear of Liens**

TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE:

**THIS PLEADING REQUESTS RELIEF WHICH MAY BE ADVERSE TO YOUR INTERESTS.
IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF
SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING
HELD. A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.**

COMES NOW John Patrick Lowe, the Trustee in this case, and makes and files this Motion,
and in support of it respectfully represents to the Court as follows:

1.

Movant is the Trustee in this Chapter 7 proceeding. The case was commenced on June 23, 2011 as a Chapter 7 proceeding and since that date has remained pending under that Chapter. This Motion is filed by right of 11 United States Code §§ 363 and 704.

2.

The Debtor amended her Schedule B on September 16, 2011 at docket number 34 to add another asset, a partnership interest in Cavan Opportunity Fund. She places a value of "unknown" on the partnership interest. The Debtor doesn't disclose either on her Schedule I or in paragraph 2 of her Statement of Financial Affairs any income from this partnership interest. There's no claim of exemption in the partnership interest. The year 2012 Schedule K-1 issued by the partnership shows that as of December 31, 2012, the Debtor owned a .3233020% limited partnership interest in the partnership. The Schedule K-1 reflects a December 31, 2012 capital account balance for this interest of \$131,135.00.

3.

The Trustee listed the partnership interest for sale on the National Association of Bankruptcy Trustee's website and received inquiries about the partnership interest. One of these inquiries led to this Motion. The Trustee moves the sale of the bankruptcy estate's limited partnership interest in Cavan Opportunity Fund, employer identification number xx-xxx3017 to Guadalupe R. Garcia, 1038 Kelly Avenue, Springdale, AR 72762, for the amount of \$2,500.00. The sale should have an effective date of January 1, 2013 and should be free and clear of any and all liens, claims, security interests and encumbrances with all of those matters, if any, attaching to the sales proceeds. The Debtor's Schedules don't depict any liens on or security interests in the estate's interest in the limited partnership interest. The sale should also be without any other warranties and without recourse against the Trustee or the bankruptcy estate.

4.

The Trustee does not expect this sale to create a federal income tax liability for the estate.

5.

There are no broker's fees or commissions due in the proposed sale.

6.

The Trustee moves also for leave to execute, acknowledge and deliver any instrument or record necessary to consummate or memorialize the proposed sale.

WHEREFORE, premises considered, the Movant prays that he be authorized to sell the aforesaid asset, and for such other and further relief as is just.

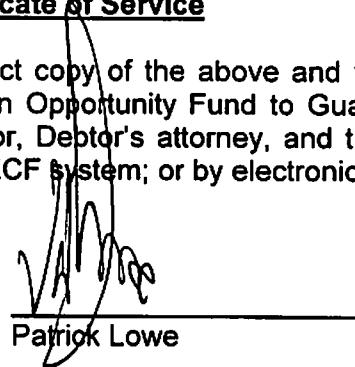
Dated: September 30, 2013.

Respectfully submitted,

John Patrick Lowe, Trustee
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Certificate of Service

This is to certify that a true and correct copy of the above and foregoing Motion to Sell the Estate's Limited Partnership Interest in Cavan Opportunity Fund to Guadalupe R. Garcia Free and Clear of Liens, has been mailed to the Debtor, Debtor's attorney, and the attached Service List, by First Class mail, postage prepaid; by the CM/ECF system; or by electronic mail on this the 30th day of September 2013.


Patrick Lowe

SERVICE LIST

Texas Comptroller of Public Accounts Revenue Accounting Div - Bankruptcy Section P.O. Box 13528 Austin, TX 78711-3528	ADT Security Services P.O. Box 650485 Dallas, TX 75265-0485	Aleida O. Villarreal c/o Margaret McClure 909 Fannin, Ste. 3810 Houston, TX 77010-1030
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